

A. STATE-AT-A-GLANCE

1)	Program Operation	State operated
2)	Number of Local Offices (excluding Agencies under Cooperative Agreements)	4, one in each county
3)	Type of Agencies with Cooperative Agreements	State and county legal/Attorney General and Corporation Counsel
4)	Uniform Interstate Family Support Act	No
5)	Agreements With Tribal Entities	No
6)	Age of Majority for Termination of Support	18 but may extend to age 23 if child enrolled full time in an accredited higher educational institution or vocational school
7)	Statutes of Limitation:	
	• Collection of Past Due Support	10 years for Hawaii orders; 6 years for out of state orders: No statute of limitations against the state of Hawaii
	• Paternity Establishment	3 years beyond age of majority (Hawaii law: age of majority 18 years of age)
	• Dormancy Revival/Renewal Possible [yes/no]	Yes, for child support debts as long as debt is within statutory period
8)	Guidelines	Melson formula, with adjustments
9)	Interest Rates on	
	• Missed Payments	No, have statute but agency will not handle at this time
	• Retroactive Support	No
	• Adjudicated Arrearage	No, have statute but agency will not handle at this time
10)	Arrearage Collections for Non- minor Child(ren)	Yes through all methods except IRS tax refund offset
11)	Distribution Scheme	
	• AFDC Arrears	First to current support (if multiple cases, proportionately among the cases), then to Non-AFDC arrears (if multiple cases, proportionately among the cases), then to AFDC arrears (if multiple cases, proportionately among the cases), EXCEPT for IRS intercepted funds, which apply first to AFDC arrears
	• Non-AFDC Arrears	See AFDC above

12)	Procedures Regarding Medical Support Using Income Withholding	No
13)	New Hire Reporting	Yes
14)	Recovery of Costs Elected Under State Plan	No
15)	Recovery of Costs for Initiating State	Yes, birth cost, genetic test costs, but not other court costs
16)	Long-Arm Statute/s Citation/s	HRS 584.8, 576.E
17)	Automated Locate Resources	Department of Motor Vehicles, Employment Security, Credit Bureaus, Department of Corrections, IV-A Program, Department of Labor, State Tax Department, Employment Verification and Inquiry
18)	Enforcement Options	
	• State Income Tax Refund Intercept	Yes
	• License Revocation/ Suspension	No
	• Administrative Liens	Yes
	• Property Seizure & Sale	Yes
	• State Funds/Benefits (please specify)	Unemployment insurance benefits, workers' compensation benefits
	• Other (please specify)	Bank accounts, creditor's claim against estate, lien on legal settlement/award
19)	Spousal Maintenance Orders <i>(specify yes or no)</i>	
	• Establish	No Yes, when in conjunction with child support
	• Enforce	Yes
	• Modify	No, if by administrative procedure

	Yes, if by courts
20) Current Spouse/Partner Information Required	No

B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

1) State Code Citation	None
2) Effective Date	n/a
3) Adopted Verbatim? If no, list differences.	n/a
4) Repeal URESA?	No
5) Repeal IWW?	No

C. INCOME WITHHOLDING

1) Income Withholding Terminology	Income withholding, wage assignment
2) Income Withholding Procedures	
<ul style="list-style-type: none"> State Withholding Limits 	50% of disposable earnings when the absent parent has a second family, 60 % with no second family. Each limit is increased by 5% if payment is in arrears 12 weeks or more.
<ul style="list-style-type: none"> Fee Charged by Employers 	\$2.00
<ul style="list-style-type: none"> Date to Remit 	Within 5 working days after the employee is paid. The employer shall begin withholding no later than the first pay period commencing fourteen days following the date the income withholding order is mailed to the employer.
<ul style="list-style-type: none"> Penalty 	An employer who fails to comply with an income withholding order shall be liable to the obligee or the agency for the full amount of all sums ordered to be withheld and transmitted
3) Definition of Employer	Any person who uses or engages the services of any person in exchange for the payment of wages or other means of exchange, including the United States government, the State, and any political subdivisions thereof, and anyone who is or shall become obligated for payment of income

4)	Included Income	Salaries, wages, earnings, workers' compensation, unemployment compensation, disability benefits, commissions, independent contractor income, and any other entitlements to money including moneys payable as a pension or as an annuity or retirement or disability or death or other benefit, or as a return of contributions and interest thereon from the United States government, or from the State or political subdivision thereof, or from any retirement, disability, or annuity system established by any of them pursuant to statute.
5)	Excluded Income	Exempt funds such as AFDC, SSI, VA disability
6)	Direct Income Withholding for Unemployment Compensation, include address	No, not as an employer
7)	Direct Income for Workers' Compensation, include address	No, not as an employer
8)	Direct Income Withholding, other income sources subject to, include address	Only employers subject to direct income withholding
9)	Direct Income Withholding, list Other Income Sources NOT subject to	Only employers subject to direct income withholding
10)	Federal Withholding (See Federal Pay Agents Section)	IV-D Directors need not answer this question.
11)	Procedures for Contesting Income Withholding	No, immediate income withholding on all orders Yes if income withholding increases to arrears; must request hearing within 14 days of receipt of notice of withholdings
12)	Arrearages through Income Withholding	Yes
13)	Enforcing Against Non-Resident Obligor Asset/Income	Yes
14)	Exception to Immediate Withholding	No
15)	Multiple Obligations Withholding Priorities	
	• Policy	Allocated across all cases for which the order for income withholding was served
	• Priority	The amount is proportionate to the amount of application
	• Assistance	Ray Scroggins Child Support Enforcement Agency

	680 Iwilei Road, Suite 490 Honolulu, HI 96817 Phone (808) 587-3717 Fax - (808) 587-3775
<ul style="list-style-type: none"> Allocation 	Yes to answer general questions only; no law that requires what employers must do if receives income withholding order out-of-state

D. PATERNITY

1) Interstate Paternity Procedures	CSEA serves putative father and attempts to settle case with an agreed order through court system; if paternity is contested, Family Support Division will conduct genetic tests and contact initiating agency to coordinate arrangements
Consent Orders Obtained	Yes
2) Uniform Parentage Act	Yes
3) Uniform Act on Blood Testing	No
4) Parentage Order Available Without Order for Support	Yes
5) Custody/Visitation Addressed Subject to Tribunal's Jurisdiction	Yes
6) Genetic Test Results as Presumption of Paternity	Rebuttable
Threshold	Testing must have power of exclusion greater than 99% and a minimum combined paternity index of 500:1
7) Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)	Rebuttable
8) Marriage as Presumption of Paternity	Yes
9) Putative Father's Name on Birth Certificate, Effect of	Rebuttable presumption
10) Other Statutory Presumptions	Yes, HRS 584-4
11) Recognition of Common Law Marriage	No
12) Personal Appearance of Witness or Custodial Parent Required	Yes, if court requires
Acceptable Methods of	Affidavit/deposition, phone conference, videotaping or

	Testimony	teleconferencing if court allows
13)	Long-Arm Statute	HRS 584.8
14)	Assistance to Other States Using Their Long-Arm Statutes	
	• Service of Process	Yes
	• Genetic Testing	Yes
15)	Recovery of Genetic Testing Costs for Other States	Yes

E. SUPPORT ORDER ESTABLISHMENT

1)	Interstate Procedures	Most cases handled by administrative process; do not distinguish between intra- and inter-state cases
2)	Income Considered for Setting Support	CP's gross income/assets; AP's gross income/assets;
3)	Criteria for Rebuttal	Showing of exceptional circumstances
4)	Support Order for Prior Periods	Yes, from birth of child and paternity actions also, can go back to prior periods only for AFDC cases. Discretionary with court hearings officer as to amount recoverable.
	• What info needed to proceed	Dollar amount, time period for prior welfare period
	• Limitations	Discretion of court or hearings officer

F. ENFORCEMENT

(Note: If multiple orders, see Part "G")

I. ENFORCING YOUR OWN ORDER

1)	Enforcement for Non-Resident Family	If employer known, send income withholding If employer not comply, interstate request; federal tax intercept
2)	Administrative Procedures and Remedies Available	Yes, Income withholding, lien on real property, federal and state tax refund intercepts
3)	Judicial Procedures and Remedies Available with Registration	Yes, attachment, foreclosure, garnishment

II. ENFORCING OTHER STATES' ORDERS

4) Administrative Procedures and Remedies Available Without Registration	All services available
5) Judicial/Administrative Remedies with Registration	All services available
6) UIFSA/URES A Registration and Enforcement Procedure	Orders can be registered under URES A for either enforcement or modification and enforcement
7) Judicial Procedures Required after Registration	Subsequent court documents to proceed
8) Uniform Enforcement of Foreign Judgments Act Citation	No

G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1) Jurisdiction Requirements	URES A
2) Modification Procedures	Upon request by either parent, the CSEA will review child support orders for possible modification in Non-AFDC cases. In AFDC cases, a review is done every thirty-six months from the date of the last order or review, or upon request. Based on the above criteria, a review is initiated and a notice is initiated and a notice of review is sent to both the custodial and non-custodial parents. They have thirty days to provide updated financial information before a review of the existing order is actually done. A review is then conducted by using the child support guidelines in effect at that time. The parties are served with the results of the review and given thirty days to request a hearing. If neither party requests a hearing, an administrative order is signed and filed with the Family Court (if parties were notified that no change is warranted, an order is not entered). If a hearing is requested, the parties are noticed of the date, place and time of the hearing. An administrative hearing is conducted and an order is entered based on the results of the hearing.
3) Criteria for Modification	Every three years in AFDC cases or Statutes require change in circumstances or the establishment of the child support guidelines or substantial modification to the child support guidelines
4) Criteria for Change of Circumstances	Must be substantial and material change in either of the parents' or child's circumstances
5) Frequency With Which Reviews are Conducted	Upon request of AP, CP or guardian and upon receipt of information that there is a change of circumstances warranting a modification
6) Criteria for Review	Review all cases in #5

7)	Criteria for Adjustment	Changes of more than \$10
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H. MULTIPLE ORDERS

ENFORCEMENT AND MODIFICATION

1)	Controlling Order	n/a
2)	Date of Controlling Order	n/a
3)	If No Controlling Order	n/a
4)	Arrears Procedure	n/a

I. Documentation Required to Initiate Requests

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each document	Certification required for each document *See below
Establishment of Paternity and Support	URESAs package Petition Testimony Paternity affidavit Birth certificate of child Certificate and Order Reciprocal enforcement of support act	3 3 3 3 3 1	A A A B B E
Enforcement of Responding State's Order	Interstate Transmittal Existing order Affidavit of arrears (month-to-month) Certificate and Order URESAs Petition General Testimony per URESAs Reciprocal enforcement of support act	1 3 3 3 3 3 1	E C B B B B E
Modification of Responding States' Orders	Petition Testimony Existing order Reciprocal enforcement of support act	3 3 3 1	A A C E
Administrative Enforcement of Another States' Order	Interstate Transmittal Existing order Affidavit of arrears (month-to-month) Certificate and Order URESAs Petition General Testimony per URESAs Reciprocal enforcement of support act	1 3 3 3 3 3 1	E C B B B B E
Registration for Enforcement of Another States' Order	Interstate Transmittal Existing order Affidavit of arrears (month-to-month)	1 3 3	E C B
Collection of Arrearages in Multiple Orders	Interstate Transmittal Existing order Affidavit of arrears (month-to-month) Certificate and Order URESAs Petition General Testimony per URESAs Reciprocal enforcement of support act	1 3 3 3 3 3 1	E C B B B B E
Uniform Enforcement of Foreign Judgments Act	Not applicable		
Modification of Another State's Order	Interstate Transmittal Existing order Affidavit of arrears (month-to-month) Certificate and Order URESAs Petition General Testimony per URESAs Reciprocal enforcement of support act	1 3 3 3 3 3 1	E C B B B B E
Status Update on an Existing	Interstate transmittal or letter on official	1	E

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each docu- ment	Certifi- cation required for each docu- ment *See below
Interstate Case	state/county letterhead		
Assistance/Discovery	Letter to state information agent	1	E
Quick Locate	Interstate transmittal or on Quick locate form	1	E

**A= Notarization by Notary Public; B= Certification by signature of agency official;
C= Certification by signature of court official; D= Others (please specify);
E= Certification not required*

J. State Contact Chart

ASSISTANCE NEEDED	CONTACT Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	Ray Scroggins Child Support Enforcement Agency 680 Iwilei Road, Suite 490 Honolulu, HI 96817 Phone - (808) 587-3717 Fax - (808) 587-3775
Central Registry	Ray Scroggins Child Support Enforcement Agency 680 Iwilei Road, Suite 490 Honolulu, HI 96817 Phone - (808) 587-3717 Fax - (808) 587-3775
Interstate Policy Contact (if different)	Ray Scroggins Child Support Enforcement Agency 680 Iwilei Road, Suite 490 Honolulu, HI 96817 Phone - (808) 587-3717 Fax - (808) 587-3775
Contact for Information Regarding Your States Long Arm Statute and Process	Rosemary McShane Family Support Division City and County of Honolulu 715 South King Street, Suite 211 Honolulu, HI 96813 Phone (808) 523-4878 Fax -(808) 527-6917
Contact for Information Regarding Collection and Distribution (State level)	George Ganir Child Support Enforcement Agency 680 Iwilei Road, Suite 490 Honolulu, HI 96817 Phone - (808) 587-3091 Fax - (808) 587-3716
Contact to Obtain Payment Records	George Ganir Child Support Enforcement Agency 680 Iwilei Road, Suite 490 Honolulu, HI 96817 Phone - (808) 587-3091 Fax - (808) 587-3716
Contact to Obtain Copy of Order	<p><u>Island of OAHU</u> Riley Yamada Legal Documents Section First Circuit Court P.O. Box 339 Honolulu, HI Phone (808) 539-4301</p> <p><u>Island of HAWAII</u> Lester Oshiro Chief Clerk Third Circuit Court 75 Aupuni Street Hilo, Hawaii 9620</p>

	<p><u>Island of KAUAI</u> Clerk of the Family Court Fifth Circuit Court 3059 Umi Street, Room 101 Lihue, HI 96766</p> <p><u>Island of MAUI</u> Clerk of the Family Court Second Circuit Court 2145 Main Street Wailuku, HI 96793</p>
Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no “case” in your State) for	
<ul style="list-style-type: none"> • Service of Process (private process server? If so , list) 	<p><u>Oahu</u> State of Hawaii Dept. of Public Safety 1111 Alakea Street, 2nd Floor Honolulu, HI 96813 Phone (808) 538-5605</p> <p><u>Hawaii (Hilo)</u> State of Hawaii Dept of Public Safety Deputy Glenn Davis P.O. Box 692 Hilo, Hawaii 96721 Phone (808) 933-4060</p> <p><u>Hawaii (Kona)</u> State of Hawaii Dept. of Public Safety Deputy Rita Hirae P.O. Box 695 Kealahou, HI 96766 Phone (808) 322-6556</p> <p><u>Maui</u> State of Hawaii Special Services Division Jean Takitani 2145 Main Street Wailuku, HI 96793 Phone (808) 244-2900</p> <p><u>Kauai</u> State of Hawaii Dept. of Public Safety Yvette Almeida 3059 Umi Street Lihue, HI 96766 Phone (808) 246-3331</p>
<ul style="list-style-type: none"> • Genetic Testing (e.g. assistance with interstate 	<p>Rosemary McShane Family Support Division</p>

teleconferencing)	City and County of Honolulu 715 South King Street, Suite 211 Honolulu, HI 96813 Phone (808) 523-4878 Fax -(808) 527-6917
New Hire Reporting Contact	Ray Scroggins Child Support Enforcement Agency 680 Iwilei Road, Suite 490 Honolulu, HI 96817 Phone - (808) 587-3717 Fax - (808) 587-3775
Employer Assistance Contact	Ray Scroggins Child Support Enforcement Agency 680 Iwilei Road, Suite 490 Honolulu, HI 96817 Phone - (808) 587-3717 Fax - (808) 587-3775
Telephone Number for Automated Interstate Case <i>Status</i> Requests (if any)	None
Telephone Number for Automated Interstate Case <i>Payment</i> Requests (if any)	None
Privatization Contact	None